

Due Date: November 12, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Hugues Marchand et al.	Examiner:	Matthew J. Song
Serial No.:	09/922,122	Group Art Unit:	1765
Filed:	August 3, 2001	Docket:	G&C 30794.79-US-U1
Title:	METHOD OF CONTROLLING STRESS IN GALLIUM NITRIDE FILMS DEPOSITED ON SUBSTRATES		

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being filed via facsimile transmission to the U.S. Patent and Trademark Office on November 12, 2002.

By: [Signature]  
Name: George H. Gates

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the Office Action dated August 12, 2002, please amend the above-identified application as follows:

REMARKS

The Office Action dated August 12, 2002 required restriction of the claims into two claim groups. In response, Applicants' attorney elects Group I, namely claims 1-17.

However, Applicants' attorney does so with traverse. Applicants' attorney disputes the assertion by the Office that the two claim groups involve separate and distinct inventions.

The Office Action does not assert that the inventions of the two claim groups are independent. Rather, the Office Action alleges that the inventions of the two claim groups are distinct because they are directed to a process of making and a product made.

Applicants' attorney asserts that restriction is improper. The Office Action alleges that the product claimed can be made by another and materially different process, such as interrupting the supply of a precursor in a growth chamber. Applicants' attorney respectfully asserts that this assertion is incorrect, as such a process would not make the claimed product, since the claim specifically recites the limitation "without any interruption in the supply."

Applicants' attorney further urges the Office take into consideration that the subject matter of each of the claim groups is linked by a common inventive concept. A search into prior art with regard to the invention of the different groups is so related that separate significant search efforts should not be necessary. Accordingly, there is no serious burden on the Office to collectively examine the different claim groups of the subject application. Therefore, restriction is not proper under M.P.E.P. §803.

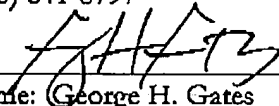
Consequently, Applicants' attorney respectfully requests the Examiner reconsider and withdraw the restriction requirement. It is also submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicants' attorney.

Respectfully submitted,

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